

IV.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game (CDFG) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFG or USFWS?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a) Coastal sage scrub (CSS) is a sensitive plant community known to be used by threatened or endangered wildlife species such as the California gnatcatcher (*Poliophtila californica californica*; CAGN), and coastal cactus wren (*Campylorhynchus brunneicapillus*; CACW) and is found on the proposed project site. Construction of the proposed road would result in the removal or disturbance of this sensitive habitat and may impact these two bird species. The proposed project could also result in an impact to the state and federally endangered least Bell's vireo (LBV) that is found to occupy the riparian habitat (i.e., streambed and walnut woodland community) also found on the proposed project site. Therefore, the proposed North Access Road project may have a potentially significant impact on sensitive species and will require the incorporation of mitigation into the proposed project to avoid or substantially reduce such impacts. This issue will be further analyzed, with appropriate mitigation as required, in the Draft EIR.
- b) The proposed North Access Road project area contains sensitive habitats as designated by the California Department of Fish and Game (CDFG) and the United States Fish and Wildlife Service (USFWS). These sensitive habitat communities include a walnut woodland community, CSS, and riparian areas. The proposed project may also impact riparian habitat especially at the confluence of Carbon Canyon and Telegraph creeks. A wetlands delineation will be undertaken to determine the extent of the potential impacts from the proposed project on federal and state jurisdictional waters. Therefore, the

proposed North Access Road project may have a potentially significant impact on riparian and sensitive native communities and will require the incorporation of mitigation into the project to avoid or substantially reduce such impacts. This issue will be further analyzed, with appropriate mitigation as required, in the Draft EIR

- c) The proposed North Access Road could potentially result in significant impacts to federal identified wetlands and waters of the U.S. as defined by Section 404 of the federal Clean Water Act. The Carbon Canyon area contains several streams, including Carbon Canyon Creek that may fall within the definition of federal jurisdiction under Section 404. Development in the project area could result in increased sedimentation due to grading during construction. In addition, drainages, streams, and/or riparian habitat could be directly modified and/or eliminated due to dredging, filling, and/or other similar activities as a result of the proposed project. Therefore, the proposed North Access Road project may have a potentially significant impact on wetlands and/or waters of the U.S. and will require the incorporation of mitigation into the proposed project to avoid or substantially reduce such impacts, with appropriate mitigation as required. This issue will be further analyzed in the Draft EIR
- d) Wildlife corridors are vital in linking offsite open space preserves. The proposed North Access Road could potentially result in a less-than-significant impact on localized wildlife movement along Carbon Canyon Creek. Although the principal movement and habitat connectivity would likely occur east of the project site within the greater portion of the CHSP, opportunities for movement between Carbon Canyon Regional Park and CHSP within the eastern portion of the proposed project site may be more limited by development of the access road. The proposed North Access Road may potentially impact this localized movement and may result in some incremental indirect impacts through increased noise and activity during construction. Potential impacts to wildlife dispersal will be discussed in the Draft EIR; however, these impacts are expected to be less than significant.
- e) Tree Protection Regulations regulate removal, pruning, and other activities that may affect native and non-native trees in the county. The CHSP offers similar protection to both native and non-native trees and regulates activities affecting trees via its Special Area Goals and Guidelines.⁶ The cities of Brea and Yorba Linda do not have any tree preservation ordinances; however, the city of Brea does have policies in its General Plan regarding the preservation of mature stands of native trees.⁷ Construction of the proposed North Access Road may require the removal, trimming, or encroachment into native and non-native trees protected by the CHSP tree protection ordinances. These impacts may be significant and will be further analyzed, with appropriate mitigation as required, in the Draft EIR.
- f) CHSP has a large area of CSS habitat within its boundaries and is enrolled in the Natural Communities Conservation Plan (NCCP). The NCCP is a program designed to provide for regional protection and conservation of sensitive species habitat at the natural community level and also to allow for compatible development and urban growth. Since a portion of the proposed project would be located within the CHSP, the construction of the North

⁶ Chino Hills State Park Preliminary General Plan, October, 1998.

⁷ City of Brea General Plan. Adopted August 19, 2003.

Access Road would impact part of the NCCP area that could result in the removal of CSS. The removal of CSS associated with the proposed North Access Road may be considered a potentially significant impact considering its location within the NCCP area and will be further analyzed, with appropriate mitigation as required, in the Draft EIR.

In addition, Metropolitan and Shell Western E&P Inc. developed a Habitat Conservation Plan (HCP) with the CDFG, USFWS and State Parks in accordance with Section 10(a)(1)(B) of the Federal Endangered Species Act. The HCP is a plan to protect and restore CSS habitat and the species that utilize it. The HCP was required as mitigation for the development impacts of CSS habitat removal for the federally listed CAGN by Metropolitan. The HCP does cover a portion of the proposed North Access Road project on the Metropolitan property as well as the western 2,600 acres of CHSP, including the 95-acre Sonome Canyon Area.⁸ Potential impacts associated with HCP resulting from the proposed project will be further analyzed in the Draft EIR.

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V.	CULTURAL RESOURCES. Would the project:				
	a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of CEQA?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of CEQA?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

- a-d) A review of previous EIRs prepared for the Diemer Treatment Plant Improvements Project revealed that archaeological, historic, and/or paleontologic resources are not known to occur within areas of the Diemer Plant property.⁹ The proposed project site is not on the National or the California Registers of Historic Places.¹⁰ Cultural resources studies have been conducted as part of previous environmental documents for the construction and operation of previous soil disturbing projects within the Diemer Plant. In addition, cultural resources studies have been conducted for the Vista del Verde residential development and golf course project. Even though previous studies indicate that there are no designated historic resources on or immediately adjacent to the Diemer Plant site, it is unknown if cultural resources would be impacted in areas of the proposed project within CHSP not previously surveyed.

⁸ Chino Hills State Park Preliminary General Plan, October, 1998.

⁹ Metropolitan. Robert B. Diemer Filtration Plant Improvements Project Draft Environmental Impact Report, Report No. 1152. September 2000.

¹⁰ Metropolitan. Robert B. Diemer Filtration Plant Improvements Project Draft Environmental Impact Report, Report No. 1152. September 2000.